

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ROBERT ROSS,

Plaintiff,

v.

AT&T MOBILITY LLC, ONE TOUCH
DIRECT, LLC, and ONE TOUCH DIRECT –
SAN ANTONIO, LLC,

Defendants.

CASE NO. 4:19-CV-06669 (JST)

**UPDATED JOINT CASE MANAGEMENT
STATEMENT & [PROPOSED] ORDER**

Hearing:

Date: June 22, 2021

Time: 2:00 PM

Place: Videoconference

Judge: Judge Jon S. Tigar

Pursuant to Civil Local Rule 16-10 and this Court's October 23, 2020 Order, Plaintiff Robert Ross ("Mr. Ross"), Defendant AT&T Mobility LLC ("AT&T"), and Defendants One Touch Direct, LLC and OneTouch Direct – San Antonio LLC (collectively, "One Touch") hereby submit this Joint Case Management Statement and Proposed Order. This Joint Case Management Statement identifies subjects covered by the initial Joint Case Management Statement and Order as to which there are updates or changes since the updated Joint Case Management Statement filed April 13, 2021. Where the parties have disagreements in their respective submissions below, the fact that any assertion in either submission is not addressed or refuted by the opposing party does not reflect that party's agreement to the assertion at issue.

I. PROGRESS AND CHANGES SINCE LAST STATEMENT WAS FILED

A. MOTIONS

1. Changes Since Last Statement Was Filed With Respect To Potential Future Motions

On April 26, 2021, Magistrate Judge Ryu granted Mr. Ross and AT&T's joint administrative motion to file under seal their joint discovery letter brief. (Dkt no. 97.)

On March 23, 2021, Mr. Ross and AT&T filed a pending joint discovery letter brief, which was denied on April 26, 2021. After further meeting and conferring, on May 20, 2021, Mr. Ross and AT&T filed an updated joint discovery letter brief, which is currently pending before Magistrate Judge Ryu and set for a hearing on July 22, 2021. (Dkt no. 100.)

AT&T and One Touch anticipate each filing a motion for summary judgment at an appropriate time. The parties anticipate that they may also have to file further discovery motions.

The schedule in the case was revised with trial now set for August 15, 2022.

B. AMENDMENT OF PLEADINGS

AT&T filed its answer to Mr. Ross's First Amended Complaint on January 12, 2021. One Touch filed its answer to the same on January 29, 2021.

C. DISCOVERY AND DISCLOSURES

All parties have served initial disclosures.

Mr. Ross and AT&T have both served discovery to each other. As previously discussed, Mr. Ross and AT&T's joint discovery letter brief regarding their discovery dispute is currently pending before Magistrate Judge Ryu.

One Touch and Mr. Ross are just beginning to discover documents from each other. Mr. Ross served discovery to One Touch, and One Touch served its responses on June 11, 2021.

One Touch also served discovery on Mr. Ross on March 22, 2021, and Mr. Ross served his responses on June 11, 2021. Both parties are in the process of producing documents to each other pursuant to their discovery responses.

D. ADR OPTIONS

The parties completed a private mediation in September 2020, which was ultimately unsuccessful. The parties continue to be amenable to the Court scheduling a settlement conference before a magistrate judge prior to trial.

Dated: June 15, 2021

By: /s/Ashley E. Johnson

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FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), Alissa R. Pleau-Fuller hereby attests that concurrence in the filing of this document has been obtained from all the signatories above.

Dated: June 15, 2021

/s/Alissa R. Pleau-Fuller

Alissa R. Pleau-Fuller

[PROPOSED] CASE MANAGEMENT ORDER

The above JOINT CASE MANAGEMENT STATEMENT is approved as the Case Management Order for this case and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated: _____, 2021

HON. JON S. TIGAR
UNITED STATES DISTRICT JUDGE

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